

Message Text

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ACTION EB-08

INFO OCT-01 ARA-10 IO-13 ISO-00 AGRE-00 CEA-01 CIAE-00
COME-00 DODE-00 FRB-03 H-01 INR-10 INT-05 L-03
LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05 SS-15
STR-07 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01
DOE-15 /124 W

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R 232311Z JUN 78
FM AMEMBASSY GUATEMALA
TO SECSTATE WASHDC 0732
INFO AMEMBASSY MANAGUA
AMEMBASSY SAN JOSE
AMEMBASSY SAN SALVADOR
AMEMBASSY TEGUCIGALPA
USMISSION GENEVA

LIMITED OFFICIAL USE GUATEMALA 3731

USMTN

E.O. 11652: N/A
TAGS: ELAB, ETRD, GT
SUBJ: REQUEST FOR INFO ON LABOR STANDARDS

REF: STATE 136706

1. EMBASSY IS POUCHING COPIES OF APPROPRIATE CONSTITUTIONAL ARTICLES, LAWS AND REGULATIONS REQUESTED REFTEL TO ARA LABOR AFFAIRS OFFICER. LAWS CITED APPLY TO ENTIRE ECONOMY. MINIMUM WAGE SCALES ARE SET BY SPECIAL PANELS FOR SPECIFIC ECONOMIC SECTORS (SEE GUATEMALA A-51 OF MAY 24, 1978). SOURCES WITH SPECIFIC REFERENCE TO LABOR PRACTICES OR TO DIFFERENTIAL REGULATIONS WILL BE CHECKED OUT AND RESULTS SENT TO WASHINGTON AT A LATER DATE.

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2. ARTICLE 43 OF THE CONSTITUTION PROVIDES THAT NO PERSON MAY BE SUBJECTED TO SERVITUDE OR TO ANY OTHER CONDITION THAT IMPAIRS HIS DIGNITY OR RESPECT. ARTICLE 114 READS IN PART: "THE PRINCIPLES OF SOCIAL JUSTICE ON WHICH LABOR LEGISLATION IS BASED ARE: 1. ALL SERVICE OR WORK WHICH IS NOT TO BE PERFORMED GRATUITOUSLY BY VIRTUE OF A LAW OR SENTENCE SHALL RECEIVE EQUITABLE REMUNERATION."

ARTICLE 103 OF THE LABOR CODE PROVIDES THAT EVERY WORKER IS ENTITLED TO A LIVING WAGE. HOWEVER, NOT ALL WORK SECTORS HAVE MINIMUM SCALES SPELLED OUT (SEE GUATEMALA A-51) AND THERE IS REASON TO BELIEVE THAT IN INDUSTRIES WHERE THERE ARE NO UNIONS OR UNIONS ARE WEAK, WORKERS ARE LIKELY TO HAVE BEEN TAKEN ADVANTAGE OF. EMBASSY WILL REPORT LATER ON PRISONER'S PAY UNDER REHABILITATION LAWS AND REGULATIONS.

3. ARTICLE 114, PARAGRAPH 9 OF THE CONSTITUTION STATES THAT MINORS UNDER 14 CANNOT WORK UNLESS EXCEPTED BY LAW. MINORS CANNOT WORK BEYOND PHYSICAL CAPACITY OR WHERE MORAL TRAINING IS ENDANGERED. ARTICLES 147-155 OF THE LABOR CODE PROVIDE ADDITIONAL INFORMATION ON EMPLOYMENT OF MINORS (COPIES POUCHED).

4. CONSTITUTION (ARTICLE 114) AND LABOR CODE (ARTICLES 197-205 AND 272) GIVE GUIDELINES FOR SAFETY AND HEALTH PROTECTION FOR WORKERS. A COPY OF CURRENT GOVERNMENT REGULATIONS (DATED 1957) APPLICABLE TO INDUSTRIAL WORKERS IS BEING POUCHED. BOSTER

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Message Attributes

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